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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT TACOMA

8 RUSSELL J. YOUNG,  
9                   Plaintiff,  
10                 v.  
11 SUSAN I. BAUR, *et al.*,  
12                 Defendants.

Case No. C05-5565 RBL/KLS  
ORDER RE-NOTING MOTIONS  
AND DIRECTING RESPONSE TO  
PLAINTIFF'S MOTION TO  
DISMISS

14                 This civil rights action has been referred to United States Magistrate Judge Karen L. Strombom  
15 pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. Presently pending before the Court is the  
16 motion of Defendant Susan Baur for summary judgment (Dkt. # 54) and the motion to dismiss of Plaintiff  
17 Young (Dkt. # 59). Both are noted for October 27, 2006. Neither party has responded to the other's  
18 motion. Prior to considering Defendant Baur's summary judgment motion on the merits, the Court will  
19 take up the Plaintiff's motion to dismiss and Defendant Baur is directed to file a response to that motion  
20 within ten days of the date of this Order.

21                 Accordingly, the Clerk is directed to re-note Plaintiff's motion to dismiss (Dkt. # 59) for  
22 **November 17, 2006** and Defendant Baur's motion for summary judgment (Dkt. # 54) for **December 1,**  
23 **2006.**

24                 DATED this 2nd day of November, 2006.

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27                 Karen L. Strombom  
28                 United States Magistrate Judge